

THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, N.Y. 12234

OFFICE OF PROFESSIONAL DISCIPLINE
ONE PARK AVENUE, NEW YORK, NEW YORK 10016-5802

Norman Cohen, Physician
132 Peninsula Drive
Babylon, N.Y. 11702

January 26, 1990

c/o Straight Path Group, P.C.
900 Striaght Path
West Babylon, N.Y. 11704

Re: License No. 073987

Dear Dr. Cohen:

Enclosed please find Commissioner's Order No. 10438. This Order and any penalty contained therein goes into effect five (5) days after the date of this letter.

If the penalty imposed by the Order is a surrender, revocation or suspension of your license, you must deliver your license and registration to this Department within ten (10) days after the date of this letter. In such a case your penalty goes into effect five (5) days after the date of this letter even if you fail to meet the time requirement of delivering your license and registration to this Department.

Very truly yours,

DANIEL J. KELLEHER
Director of Investigations
By:

MOIRA A. DORAN
Supervisor

DJK/MAH/er
Enclosures

CERTIFIED MAIL- RRR

cc: Fred Fagelson, Esq.
c/o Siben & Siben
90 E. Main Street
Bay Shore, N.Y. 11706

RECEIVED
OFFICE OF PROFESSIONAL DISCIPLINE
NEW YORK

NORMAN COHEN, D.C

STATE OF NEW YORK : DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

IN THE MATTER

: APPLICATION

OF

: FOR

NORMAN COHEN, D.O.

: CONSENT

: ORDER

STATE OF NEW YORK)

ss.:

COUNTY OF)

NORMAN COHEN, D.O., being duly sworn, deposes and says:
That on or about August 10, 1953, I was licensed to
practice as a physician in the State of New York, having been
issued License No. 073987 by the New York State Education
Department.

I am currently registered with the New York State
Education Department to practice as a physician in the State of
New York for the period January 1, 1989 through December 31,
1991 from Straight Path Prof. Group, P.C., 900 Straight Path,
W. Babylon, New York 11704.

I understand that the New York State Board of Professional
Medical Conduct has charged me with six Specifications of
professional misconduct.

A copy of the Statement of Charges is annexed hereto, made
a part hereof, and marked as Exhibit "A".

NORMAN COHEN, D.O.

For purposes of this proceeding only, I do not contest the factual allegations set forth in paragraph A of the Statement of Charges, but I deny the factual allegations set forth in paragraph B of the Statement of Charges. For purposes of this proceeding only, I do not contest the First Specification, Willfully Abusing a Patient Physically, (as set forth in paragraph 1); I do not contest the Third Specification, Practicing the Profession Fraudulently, (as set forth in paragraph 3); and I do not contest the Fifth Specification, Moral Unfitness, (as set forth in paragraph 5); I do not admit the Second Specification, Willfully Abusing a Patient Physically, (as set forth in paragraph 2); I do not admit the Fourth Specification, Practicing the Profession Fraudulently, (as set forth in paragraph 4); and I do not admit the Sixth Specification, Moral Unfitness, (as set forth in paragraph 6); in full satisfaction of all the specifications of professional misconduct.

I hereby agree to the penalty that my license to practice as a physician in the State of New York be suspended for a period of three (3) years, that the first six (6) months of the suspension be actual, that execution of the last two and one-half (2 1/2) years of said suspension be stayed, at which

NORMAN COHEN, D.O.

time I then be placed on probation for said last two and one-half (2 1/2) years under the terms set forth in the exhibit annexed hereto, made a part hereof, and marked as Exhibit "B".

I hereby make this application to the Board of Regents and request that it be granted.

I understand that, in the event that this application is not granted by the Board of Regents, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct alleged or charged against me, such application shall not be used against me in any way and shall be kept in strict confidence during the pendency of the professional misconduct disciplinary proceeding; and such denial by the Board of Regents shall be made without prejudice to the continuance of any disciplinary proceeding and the final determination by the Board of Regents pursuant to the provisions of the Education Law.

I agree that, in the event the Board of Regents grants my application, as set forth herein, an order of the Commissioner of Education may be issued in accordance with same.

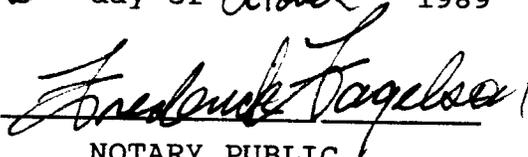
NORMAN COHEN, D.O.

No promises of any kind were made to me. I am making this application of my own free will and accord and not under duress, compulsion or restraint of any kind or manner.



NORMAN COHEN, D.O.
Respondent

Sworn to before me this
20th day of *October* 1989



NOTARY PUBLIC
FREDERICK FAGELSON
Notary Public, State of New York
No. 52-6221675, Suffolk County
Term Expires March 30, 19*90*

STATE OF NEW YORK : DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

IN THE MATTER

: APPLICATION

OF

: FOR

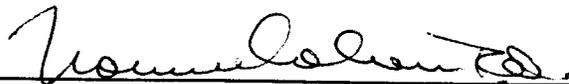
NORMAN COHEN, D.O.

: CONSENT

: ORDER

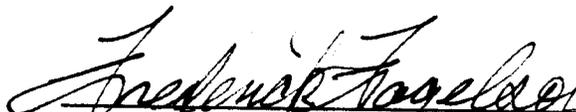
The undersigned agree to the above statement and to the proposed penalty based on the terms and conditions thereof.

Date: 10/20/89



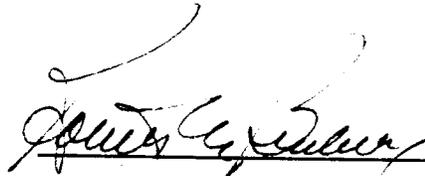
NORMAN COHEN, D.O.
Respondent

Date: October 20, 1989



FREDERICK FAGELSON
Attorney for Respondent

Date: November 10, 1989



MEMBER, State Board for
Professional Medical Conduct

Date: November 3, 1989



KATHLEEN M. TANNER
Director, Office of Professional
Medical Conduct

NORMAN COHEN, D.O.

The undersigned has reviewed and agrees to the attached application for consent order.

Date:

11/3/89



DAVID AXELROD, M.D.
Commissioner of Health

The undersigned, a member of the Board of Regents who has been designated by the Chairman of the Regents Committee on Professional Discipline to review this Application for a Consent Order, has reviewed said application and recommends to the Board of Regents that the application be granted.

Date:

11/29/89



MEMBER OF THE BOARD OF REGENTS

STATE OF NEW YORK : DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

-----X
IN THE MATTER : STATEMENT
OF : OF
NORMAN COHEN, D.O. : CHARGES
-----X

NORMAN COHEN, D.O., the Respondent, was authorized to practice medicine in New York State on August 10, 1953 by the issuance of license number 073987 by the New York State Education Department. The Respondent is currently registered with the New York State Education Department to practice medicine for the period January 1, 1989 through December 31, 1991 at Straight Path Prof. Group, P.C., 900 Straight Path, W. Babylon, New York 11704.

FACTUAL ALLEGATIONS

A. On or about August 5, 1986, at Respondent's office, Respondent, during the course of an examination of Patient A, purportedly for treatment of Patient A's stomach pain, manipulated Patient A's vagina and breasts. (Patient A's name and all other names appear in the attached Appendix).

B. On or about April 27, 1987 at Respondent's office, Respondent, during the course of an examination of Patient B,

Exhibit "A"

purportedly for treatment of Patient B's cut finger, manipulated Patient B's breast and kissed her.

SPECIFICATION OF CHARGES

FIRST AND SECOND SPECIFICATIONS

WILLFULLY ABUSING A PATIENT PHYSICALLY

The Respondent is charged with committing unprofessional conduct under N.Y. Educ. Law, Section 6509(9) (McKinney 1985) and his conduct in the practice of his profession evidences unprofessional conduct within the meaning of 8 N.Y.C.R.R. 29.2(a)(2)(1984) by willfully abusing a patient physically, in that, the Petitioner charges:

1. The facts in paragraph A.
2. The facts in paragraph B.

THIRD AND FOURTH SPECIFICATION

PRACTICING THE PROFESSION FRAUDULENTLY

The Respondent is charged with practicing the profession of medicine fraudulently under N.Y. Educ. Law, Section 6509(2) (McKinney 1985) in that the Petitioner charges:

3. The facts in paragraph A.
4. The facts in paragraph B.

FIFTH AND SIXTH SPECIFICATION

MORAL UNFITNESS

The Respondent is charged with committing unprofessional conduct under N.Y. Educ. Law, Section 6509(9) (McKinney 1985) and his conduct in the practice of his profession evidences unprofessional conduct within the meaning of 8 N.Y.C.R.R. 29.1(b)(5)(1984) by engaging in conduct in the practice of medicine which evidences moral unfitness to practice the profession, in that the Petitioner charges:

5. The facts in paragraph A.
6. The facts in paragraph B.

DATED: New York, New York

CHRIS STERN HYMAN
Counsel
Bureau of Professional Medical
Conduct

TERMS OF PROBATION

1. That Respondent, during the period of probation, shall conduct himself in all ways in a manner befitting his professional status, and shall conform fully to the moral and professional standards of conduct imposed by law and by his profession;
2. That Respondent shall submit written notification to the New York State Department of Health (NYSDOH), addressed to the Director, Office of Professional Medical Conduct, New York State Health Department, Empire State Plaza, Tower Building, Albany, New York 12237 of any employment and practice, of Respondent's residence and telephone number, of any change in respondent's employment, practice, residence, or telephone number within or without the State of New York;
3. Respondent shall submit written proof from the Division of Professional Licensing Services (DPLS), New York State Education Department (NYSED), that respondent has paid all registration fees due and owing to the NYSED and Respondent shall cooperate with and submit whatever papers are requested by DPLS in regard to said registration fees, said proof from DPLS to be submitted by Respondent to the New York State Department of Health, addressed to the Director, Office of Professional Medical Conduct, as aforesaid, no later than the first three months of the period of probation;
4. Respondent shall submit written proof to the NYSDOH, addressed to the Director, Office of Professional Medical Conduct, as aforesaid, 1) Respondent is currently registered with the NYSED, unless Respondent submits written proof that Respondent has advised DPLS, NYSED, that Respondent is not engaging in the practice of Respondent's profession in the State of New York and does not desire to register, and that 2) Respondent has paid any fines which may have previously been imposed upon respondent by the Board of Regents; said proof of the above to be submitted no later than the first two months of the period of probation;
5. So long as there is full compliance with every term herein set forth, Respondent may continue to practice his aforementioned profession in accordance with the terms of probation; provided, however, that upon receipt of evidence

of noncompliance with or any other violation of probation,*
proceeding and/or such other proceeding may be initiated
against Respondent pursuant to the Education Law, Rules of
the Board of Regents and/or Public Health Law.

*a violation of probation

**ORDER OF THE COMMISSIONER OF
EDUCATION OF THE STATE OF NEW YORK**

NORMAN COHEN, D.O.

CALENDAR NO. 10438



The University of the State of New York

IN THE MATTER

OF

NORMAN COHEN, D.O.

DUPLICATE
ORIGINAL
VOTE AND ORDER
NO. 10438

Upon the application of NORMAN COHEN, D.O., under Calendar No. 10438, recommended to be granted by a member of the Board of Regents on November 29, 1989, which application is made a part hereof, and in accordance with the provisions of Title VIII of the Education Law, **it was**

VOTED (December 15, 1989): That the application of NORMAN COHEN, D.O., respondent, for a consent order be granted; and that the Commissioner of Education be empowered to execute, for and on behalf of the Board of Regents, all orders necessary to carry out the provisions of this vote;

and it is

ORDERED: That, pursuant to the above vote of the Board of Regents, said vote and the provisions thereof as well as the application and the provisions thereof are hereby adopted and **SO ORDERED**, and it is further

ORDERED that this order shall take effect as of the date of the personal service of this order upon the respondent or five days after mailing by certified mail.

NORMAN COHEN, D.O. (10438)

IN WITNESS WHEREOF, I, Thomas Sobol,
Commissioner of Education of the State of
New York, for and on behalf of the State
Education Department and the Board of
Regents, do hereunto set my hand and affix
the seal of the State Education Department,
at the City of Albany, this 3rd day of
January, 1990.

Thomas Sobol
Commissioner of Education